

1 BILL NO. R-84-1-07

2 DECLARATORY RESOLUTION NO. R- 05-84

3 A DECLARATORY RESOLUTION designating
4 an "Economic Revitalization Area"
under I.C. 6-1.1-12.1.

5 WHEREAS, Petitioner has duly filed its petition dated
6 November 9, 1983, to have the following described property
7 designated and declared an "Economic Revitalization Area" under
8 Division 6, Article II, Chapter 2 of the Municipal Code of the
9 City of Fort Wayne, Indiana, of 1974, as amended, and I.C. 6-1.1-
10 12.1., to-wit:

11 Part of the West half of the Northwest
12 Quarter of Section 20, Township 31
13 North, Range 13 East, Allen County,
Indiana, more particularly described
as follows, to-wit:

14 Beginning on the North line of said
15 Northwest Quarter at a point situated
208.7 feet, S 90°-00 W (deed bearing
16 and is used as the basis for the bear-
ings in this description) from the
Northeast corner of said West half;
17 thence S 00°-02 E (recorded S 00°-10'E)
and parallel to the East line of said
18 West half, on and along a line esta-
blished by an existing line fence and
19 monuments found, a distance of 596.8
feet to a post found; thence S 90°-
20 00' W and parallel to the North line
of said Northwest Quarter, a distance
21 of 369.8 feet (recorded 369.39 feet);
thence N 00°-07 E, on and along a
22 line being partially defined by the
East line of Parker Cemetery, being
23 a 2.4 acre tract with boundaries es-
tablished in two deeds both having
24 been recorded in Deed Record 366,
page 221 in the Office of the Re-
25 corder in Allen County, Indiana, a
distance of 596.8 feet to the North-
26 east corner of said Parker Cemetery,
being a point on the North line of
27 said Northwest Quarter; thence
N 90°-00 E, on and along said North
28 line, being also the centerline of
St. Joe Center Road, a distance of
29 188.2 feet to the Northwest corner
of a tract of land conveyed to Lassus
30 Brothers Oil, Inc. in Deed Record 733,
page 527 in the Office of the Recorder
31 of Allen County, Indiana; thence S 00°-
02' E (recorded S 00°-10' E), on and along
32 the West line of said Lassus Brothers
Oil, Inc. tract, and parallel to the East

1 Page Two

2
3 line of said West Half, a distance of
4 170.0 feet to the Southwest corner
5 of said tract; thence N 90°-00' E, on
6 and along the South line of said Lassus
7 Brothers Oil, Inc. tract and parallel
8 to said North line, a distance of
9 150.0 feet to the Southeast corner of
10 said tract; thence N 00°-02' W (record-
11 ded N 00°-10' W), on and along the East
12 line of said Lassus Brothers Oil, Inc.
13 tract and parallel to the East line of
14 said West Half, a distance of 170.0 feet
15 to the Northeast corner of said tract,
being a point on the North line of said
Northwest Quarter; thence N 90°-00' E,
on and along said North line, being also
the centerline of St. Joe Center Road,
a distance of 30.0 feet to the point of
beginning, containing 4.470 acres of
land, subject to legal right-of-way for
St. Joe Center Road, subject to a legal
drainage easement for Shoppman Ditch
and subject to all other easements of
record;

16 said property more commonly known as 3428 St. Joe Center Road,
17 Fort Wayne, Indiana 46815; and

18 WHEREAS, it appears that said petition should be pro-
19 cessed to final determination in accordance with the provisions
20 of said Division 6.

21 NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF
22 THE CITY OF FORT WAYNE, INDIANA:

23 SECTION 1. That, subject to the requirements of Section
24 4, below, the property hereinabove described is hereby designated
25 and declared an "Economic Revitalization Area" under I.C. 6-1.1-
26 12.1. Said designation shall begin upon the effective date of
27 the Confirming Resolution referred to in Section 3 of this Resolu-
28 tion and shall continue for one (1) year thereafter. Said desig-
29 nation shall terminate at the end of that one-year period.

30 SECTION 2. That upon adoption of this Resolution:

31 (a) Said Resolution shall be filed with the Allen
32 County Assessor;

(b) Said Resolution shall be referred to the Committee on Finance and shall also be referred to the Department of Economic Development requesting a recommendation from said department concerning the advisability of designating the above designated area an "Economic Revitalization Area";

(c) Common Council shall publish notice in accordance with I.C. 5-3-1 of the adoption and substance of this Resolution and setting this designation as an "Economic Revitalization Area" for public hearing;

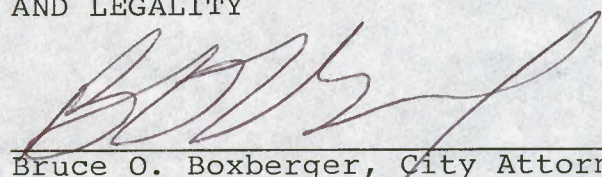
(d) If this Resolution involves as area that has already been designated an allocation area under I.C. 36-7-14-39, then the Resolution shall be referred to the Fort Wayne Redevelopment Commission and said designation as an "Economic Revitalization Area" shall not be finally approved unless said Commission adopts a resolution approving the petition.

SECTION 1. That this Resolution shall be subject to being confirmed, modified and confirmed or rescinded after public hearing and receipt by Common Council of the above described recommendations and resolution, if applicable.

SECTION 4. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.


Councilmember

APPROVED AS TO FORM
AND LEGALITY


Bruce O. Boxberger, City Attorney

Read the first time in full and on motion by _____,
seconded by _____, and duly adopted, read the second time
by title and referred to the Committee _____ (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,
Indiana, on _____, the _____ day of _____,
19_____, at _____ o'clock _____ .M., E.S.

DATE: _____

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by GiaQuinta,
seconded by Henry, and duly adopted, placed on its
passage. PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	<u>✓</u>	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 1-10-84

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort
Wayne, Indiana, as (~~ANNEXATION~~) (~~APPROPRIATION~~) (~~GENERAL~~)
(~~SPECIAL~~) (~~ZONING MAP~~) ~~ORDINANCE~~ (~~RESOLUTION~~) NO. B-05-84
on the 10th day of January, 1984,

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Ray A. Ebert
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,
on the 11th day of January, 1984,
at the hour of 11:30 o'clock P.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 11th day of Jan.,
1984, at the hour of 12:30 o'clock P.M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

No. 8 November 9 1983

Received from Neil Kobi

Fifty and 00 100 Dollars

Tax Abatement Application Fee

\$50.00

Neil Kobi

C-108

November 9 1983

71-1232
749

PAY
TO THE
ORDER OF

CITY of FORT WAYNE

\$50.00

FIFTY AND 00 100

DOLLARS



ANTHONY WAYNE BANK
FORT WAYNE, INDIANA 46802

FOR

Neil H. Kobi
John F. Ronsaal

⑆074912328⑆

0230026 5112

DELUXE CHECK PRINTERS - 87

APPLICATION FOR DESIGNATION
AS AN ECONOMIC REVITALIZATION AREA
-REAL ESTATE TAX ABATEMENT-



This application is to be completed and signed by the owner of the property where development or rehabilitation is to occur. The City of Fort Wayne, Indiana, reviews this application for designation as an "Economic Revitalization Area" in regards to its responsibility under Public Law 69, enacted by the General Assembly of the State of Indiana in 1977; and all subsequent amendments made by the General Assembly thereafter.

1. Applicant Summit City Investments
2. Owner(s) Neil Kobi, Sabah Saud,
3. Address of Owner(s) P.O. Box 10644
Fort Wayne, IN 46853
4. Telephone Number of Owner(s) (219) 422-2478
5. Relationship of Applicant to Owner(s) if any Owner
6. Address of Applicant 220 West Fleming Avenue
Fort Wayne, IN 46807
7. Telephone number of Applicant (219) 422-2478
8. Address of Property Seeking Designation 3428 St. Joe Center Road
Fort Wayne, IN 46815
9. Legal Description of Property Proposed for Designation (may be attached)
Attached
10. Townwhip St. Joe
11. Taxing District 75

12. Current Zoning B-3-B
13. Variance Granted (if any) _____
14. Current Use of Property
- a. How is property presently used? bare land
- _____
- _____
- b. What Structure(s) (if any) are on the property? None
- _____
- _____
- b. What is the condition of this structure/these structures? _____
- _____
- _____
15. Current Assessed Value of Real Estate _____
- a. Land \$2,700.00
- b. Improvements -0-
16. Amount of Total Property Taxes Owed During the Immediate Past Year
- \$196.36
17. Description of Proposed Improvements to the Real Estate _____
- 13 Buildings used for self-storage; each building containing 5440 square feet
- _____
- _____
18. Development Time Frame
- a. When will physical aspects of development or rehabilitation begin?
- November 1983
- b. When is completion expected? February, 1984
19. Cost of Project (not including land costs) \$800,000.00

20. Permanent Jobs Resulting from Completed Project 4

a. How many permanent jobs will be employed at of in connection with the project after it is completed? Four (4)

lation of this new manufacturing equipment? _____

b. What is the nature of those jobs? bookkeeper, maintenance, property manager and consultant

c. Anticipated time frame for reaching employment level stated above?

February 1984

21. Additional municipal services necessitated by installation of new manufacturing equipment (e.g. enlargement of sewer, etc.) None.

However, developer will install a public sewer extension.

22. Undesirability for Normal Development

What evidence can be provided that the project property is located in an area "which has become undesirable for, or impossible of, normal development and occupancy because of a lack of age, development, cessation of growth, deterioration of improvements or character of occupancy, obsolescence, substandard buildings or other factors which have impaired values or prevent a normal development of property or use of property"? There have been several attempts to develop this property

with no success. This is the first project to have any success and quite probably

the only substantial development that could ever take place on this site. The success

of this development will lead to future benefits for the community in continuing tax

revenues. We feel that the whole community is an economically depressed area and that

the development of this site will create tax revenues and jobs that would not other-

wise have been available to the community.

23. How will the proposed designation further the economic development objectives of the City of Fort Wayne? It will increase the number of people employed fulltime and add a continuous increased tax base.

24. Instrument Number of Commitments or Covenants Enforceably by the City of Fort Wayne or Allen County (if any). Provide brief description of same, or a copy thereof. _____

Perpetual Maintenance Agreement - Attached

25. Zoning Restrictions

Will this project require a rezoning, variance, or approval before construction is initiated? _____ YES _____ X NO

26. Financing on Project

What is the status of financing connected with this project?

Private financing for this project is already in place.

I hereby certify that the information and representation on this Application are true and complete.

Neil H. Kobi

Signature(s) of Owners

[Signature]

NOVEMBER 9, 1983

Date

Nov/9/83

Information Below to be filled in by Department of Economic Development:

Date Application Received:

Date Application Forwarded to Law Dept:

Date of Legal Notice Publication:

Date of Public Hearing:

Date of Building Permit:

Approved or Denied? Date:

Allocation Area:

COVENANT

In consideration for the City of Fort Wayne Board of Zoning Appeals approving the use for the following described property, to-wit: (legal description), SUMMIT CITY INVESTMENTS does agree to landscape all areas of the property abutting residentially zoned areas in a manner satisfactory to the Board of Zoning Appeals and to maintain the aforementioned landscaping in an acceptable and aesthetically pleasing condition so long as those contiguous areas remain residentially zoned and can remove the plant portion of said landscaping at its option if:

- (1) The ordinance(s) no longer require said landscaping; or
- (2) The contiguous property is no longer zoned residential; or
- (3) If for any reason this portion of the landscaping is no longer required by the City of Fort Wayne.
- (4) This covenant shall run with the land.

SUMMIT CITY INVESTMENTS

By 

11/2/83

(Need all partners required to bind company).

This instrument prepared by:

SABAH JAHID

ZOHRAB K. TAZIAN, PE & LS
president
JERRY K. WALKER, PE & LS
vice-president

zk tazian

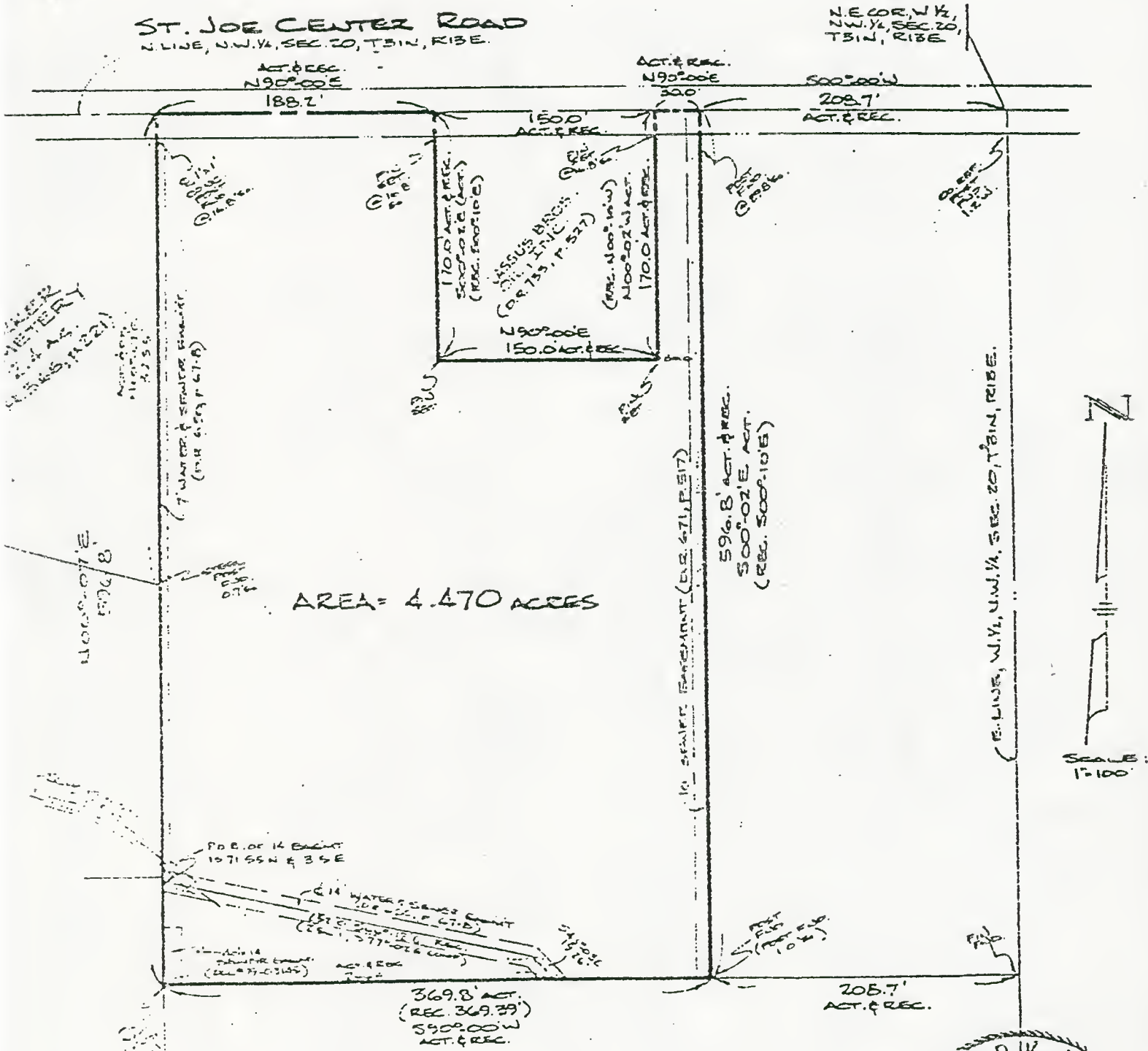
ASSOCIATES, INC.
345 WEST WAYNE STREET
SUITE 202
FORT WAYNE, INDIANA 46802
PHONES: 219.424-3232
219.426-0003

CERTIFICATE OF SURVEY

This document is a record of a resurvey of land and real estate prepared in conformity with established rules of surveying and made in accordance with the records or plat on file in the Recorder's office of Allen County, State of Indiana. The land described exists in full dimensions as shown hereon in feet. It is free from encroachments by adjoining land owners unless specifically stated below. Corners were perpetuated as indicated.

DESCRIPTION OF REAL ESTATE

See Page 2 for Legal Description.



REMARKS FROM
RECORDS
10-11-100

Surveyed on the 11th day of October, 1999 that the above survey is correct
witnessed by Zohrab K. Tazian
Surveyor



ZOHRAB K. TAZIAN, PE & LS
president
JERRY K. WALKER, PE & LS
vice-president

zk tazian

ASSOCIATES, INC.
345 WEST WAYNE STREET
SUITE 202
FORT WAYNE, INDIANA 46802
PHONES: 219/424-3232
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DESCRIPTION OF REAL ESTATE

Part of the West Half of the Northwest Quarter of Section 20, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows: to wit:

Beginning on the North line of said Northwest Quarter at a point situated 208.7 feet, S 90°-00' W (deed bearing and is used as the basis for the bearings in this description) from the Northeast corner of said West Half; thence S 00°-02' E (recorded S 00°-10' E) and parallel to the East line of said West Half, on and along a line established by an existing line fence and monuments found, a distance of 596.8 feet to a post found; thence S 90°-00' W and parallel to the North line of said Northwest Quarter, a distance of 369.8 feet (recorded 369.39 feet); thence N 00°-07' E, on and along a line being partially defined by the East line of Parker Cemetery, being a 2.4 acre tract with boundaries established in two deeds both having been recorded in Deed Record 366, page 221 in the Office of the Recorder of Allen County, Indiana, a distance of 596.8 feet to the Northeast corner of said Parker Cemetery, being a point on the North line of said Northwest Quarter; thence N 90°-00' E, on and along said North line, being also the centerline of St. Joe Center Road, a distance of 188.2 feet to the Northwest corner of a tract of land conveyed to Lassus Brothers Oil, Inc. in Deed Record 733, page 527 in the Office of the Recorder of Allen County, Indiana; thence S 00°-02' E (recorded S 00°-10' E), on and along the West line of said Lassus Brothers Oil, Inc. tract, and parallel to the East line of said West Half, a distance of 170.0 feet to the Southwest corner of said tract; thence N 90°-00' E, on and along the South line of said Lassus Brothers Oil, Inc. tract and parallel to said North line, a distance of 150.0 feet to the Southeast corner of said tract; thence N 00°-02' W (recorded N 00°-10' W), on and along the East line of said Lassus Brothers Oil, Inc. tract and parallel to the East line of said West Half, a distance of 170.0 feet to the Northeast corner of said tract, being a point on the North line of said Northwest Quarter; thence N 90°-00' E, on and along said North line, being also the centerline of St. Joe Center Road, a distance of 30.0 feet to the point of beginning, containing 4.470 acres of land, subject to legal right-of-way for St. Joe Center Road, subject to a legal drainage easement for Shoppman Ditch and subject to all other easements of record.

EXHIBIT "A"

I hereby certify on the 11th day of September, 1997 that the above survey is correct.
Surveyed for: St. Joe Road Property (Lassus Brothers)
Survey No.: 11-1-1 "A" Zohrab K. Tazian





The City of Fort Wayne

January 6, 1984

Mark GiaQuinta, Chairman of Finance
Fort Wayne Common Council
One Main Street
Fort Wayne, IN 46802

Re: Tax Abatement Application For Summit City Investors

Dear Mr. GiaQuinta:

On November 9, 1983, an application for tax abatement was filed in the office of the Department of Economic Development requesting designation of the property located at 3428 St. Joe Center Road as an "Economic Revitalizaion Area" for the purposes of tax abatement. The application was then referred to the Law Department for drafting of a Declaratory Resolution.

Action

The Department of Economic Development conducted a staff review of the project on November 29, 1983. A formal review of the site and an interview with Mr. Sabah Saud was conducted.

Recommendation

Based upon the above action, the Department of Economic Development is recommending to the Common Council a "Do Pass" to your Declaratory Resolution designating:

"SEE ATTACHED"

As an "Economic Revitalization Area" for purposes of I.C. 6-11-12.1, as enacted by the General Assembly of the State of Indiana.

Mark GiaQuinta
January 6, 1984
Page 2

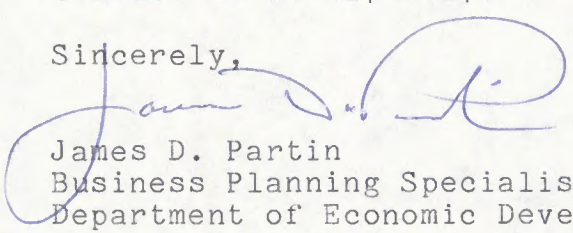
Rationale

The above stated recommendation is based upon the following rationale:

1. Lack of development
2. Cessation of growth
3. Effective utilization of vacant under-utilized land
4. Improvement of the physical appearance of the city
5. Neighborhood conservation and stabilization

If you need any additional information, please do not hesitate to contact me at 427-1127.

Sincerely,



James D. Partin
Business Planning Specialist
Department of Economic Development

hjk

Admn. Appr. _____

DIGEST SHEETTITLE OF ORDINANCE Declaratory Resolution

①-84-01-07

DEPARTMENT REQUESTING ORDINANCE Economic DevelopmentSYNOPSIS OF ORDINANCE A Declaratory Resolution designating an "Economic
Revitalization Area" under I.C. 6-1.1-12.1.Said property more common known as 3428 St. Joe Center Rd.(Summit City Investments)

_____EFFECT OF PASSAGE Previously undeveloped property will be utilized,
creating tax revenues and jobs for the community.EFFECT OF NON-PASSAGE Opposite of the above.
_____MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \$800,000.00 (not including
land cost)

ASSIGNED TO COMMITTEE (PRESIDENT) _____